

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Mark L. Weiss**  
Serial No.: **10/647,361** Group No.: **1632**  
Filed: **08/25/2003** Examiner: **Thaian Ton**  
Entitled: **Cultures, Products and Methods Using Stem Cells**

**DECLARATION OF INVENTOR MARK WEISS  
UNDER 37 C.F.R. § 1.132**

**EFS WEB-FILED**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To Whom It May Concern:

1. I certify that Mark L. Weiss, Deryl L. Troyer, Duane Davis, and Kathy E. Mitchell, are the inventors of the subject matter embodied in the above-identified patent application.
2. I have read and understand the specification and claims of the above-named patent publication.
3. I am listed as a co-author, along with five other authors on the following publication:  
Kathy E. Mitchell, Mark Weiss, Duane Davis, Aubrey M. Baughman, Mark A. Beerstrauch, and Deryl Troyer (2000) "Wharton's Jelly Mesenchymal Cells form Neurons and Glia," Mol. Biol. Cell, 12 (Suppl.) 365A, Abstract No. 2006 (2001).
4. I confirm that, with respect to the reference listed in paragraph 3, that Mark L. Weiss, Deryl L. Troyer, Duane Davis, and Kathy E. Mitchell are the only listed authors who contributed to the inventive process relating to the above named invention.
5. I confirm that, with respect to the reference listed in paragraph 3, that Aubrey M. Baughman and Mark A. Beerstrauch were not involved with the inventive process relating to the above named invention, worked under my supervision and direction, and were listed as co-

**PATENT**  
Attorney Docket No. **KSURF-08401**

authors of the publication in order to acknowledge their collaboration in a research program under my direction.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing there from.

Dated: Jan 22, 2008 By:   
Mark Weiss